



## Legislation Text

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**File #:** RES PH 13-136, **Version:** 1

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Approving the application of the St. Paul Saints Baseball Club, Inc. for a sound level variance to allow the use of a PA system and amplified live music from 4:30 p.m. until 11:00 p.m. on July 10, 2013 at 1771 Energy Park Drive.

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, the St. Paul Saints Baseball Club, Inc, represented by Tom Whaley, Executive Vice President, who has been designated as the responsible person on the application, has applied for a variance to allow the use of a PA system and amplified live music from 4:30 p.m. until 11:00 p.m. on July 10, 2013 at 1771 Energy Park Drive; and

WHEREAS, applicant has requested a variance for the hours of 4:30 p.m. until 11:00 p.m. on July 10, 2013; and

WHEREAS, if applicant is not granted a variance it will not be able to use a PA system and present amplified live music at 1771 Energy Park Drive; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance; now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to St. Paul Saints Baseball Club, Inc, subject to the following conditions:

- 1) The variance shall be for the hours of 4:30 p.m. until 11:00 p.m. on July 10, 2013.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 100 dBA as measured at the sound mix.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound mix during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 11:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 10, 2013 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

The St. Paul Saints Baseball Club, Inc, represented by Tom Whaley, Executive Vice President, has requested

an exemption from the sound level limitations in Chapter 293.07 in order to allow the use of a PA system and present amplified live music, with limitations, from 4:30 p.m. until 11:00 p.m. on July 10, 2013. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments